

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEROY JOHNSON, JR.,

Plaintiff,

v.

OHIO DEPARTMENT OF
REHABILITATION AND
CORRECTIONS, *et al.*

Defendants.

Case No. 2:13-cv-583

Judge Peter C. Economus

ORDER

Plaintiff Leroy Johnson brought this case alleging that Defendant Correctional Officer Herren attacked Plaintiff, and the other defendants failed to investigate the matter appropriately. Having granted Plaintiffs' motion to proceed *in forma pauperis*, the Magistrate Judge recommended in an Order and Report and Recommendation dated June 20, 2013 that the claims against Defendants Mohr, Willingham, Ackley, and Chamberlain be dismissed under 28 U.S.C. §§ 1915(e)(2) and 1915A. Section 1915(e)(2) provides that "the court shall dismiss the case . . . if . . . the action . . . (i) is frivolous or malicious [or] (ii) fails to state a claim on which relief may be granted."

The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report & Recommendation 3–4, Dkt. 5.) The time period for filing objections has expired, and no party has objected.

The Court has reviewed the Report and Recommendation pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. The claims against Defendants Mohr, Willingham, Ackley, and Chamberlain are hereby **DISMISSED**.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE